

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ELIZABETH SARAH BROWN, <i>et al.</i> ,	:	CIVIL NO.: 1:23-CV-01886
	:	
Plaintiffs,	:	
	:	
v.	:	(Magistrate Judge Schwab)
	:	
ADAMS COUNTY, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

January 23, 2025

For the reasons set forth in the Memorandum Opinion filed concurrently with this Order, **IT IS ORDERED** that the partial motion (*doc. 41*) to dismiss filed by the Commonwealth Defendants is **GRANTED**. Counts VI and IX against the PSP, the official capacity claims against the Troopers in Counts I, IV, VI, VII, and VIII, and the individual capacity claims against the Troopers in Counts VI, VII, and VIII are dismissed without leave to amend. The individual capacity claim against the Troopers in Count IV is dismissed with leave to amend.

IT IS FURTHER ORDERED that the partial motion (*doc. 43*) to dismiss filed by the County Defendants is **GRANTED IN PART** and **DENIED IN PART**. Counts V, VI, and IX against the County are dismissed without leave to amend. Counts III and IV against the County are dismissed with leave to amend.

The negligence and recklessness claims (but not the willful misconduct claim) in Count VI against the Individual County Defendants is dismissed without leave to amend. Counts III and IV against the Individual County Defendants are dismissed with leave to amend.

Consistent with attached Memorandum Opinion, the Browns are permitted to amend the complaint one final time with respect to the claims not barred by immunity within thirty days of this order.

S/Susan E. Schwab

Susan E. Schwab

United States Magistrate Judge